



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

oplication Serial No.:

10/646,145

pplicant

Bongcheol Kim, et al.

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August 22, 2003

CONFIRMATION NO.:

8727

For:

Composition Comprising The Extract of Actinidia Arguta

And Related Species for the Prevention and Treatment ...

Examiner

Marina Lamm

ART UNIT: 1617

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO ACCEPT INFORMATION DISCLOSURE STATEMENT

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Applicant hereby petitions for the consideration of the accompanying Information Disclosure Citation forms PTO/SB/08A and PTO/SB/08B a with the accompanying seventeen (17) references. The Commissioner is hereby authorized to charge any fee required by this paper to Deposit Account No. 503814.

> Respectfully submitted Attorney for applicant,

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By:

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INFORMATION DISCLOSURE

Substitute for form 1449/PTO

Sheet

STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Complete if Known

Application Number 10/646,145

Filing Date August 22, 2003

First Named Inventor Bongcheol Kim, et al.

Art Unit 1617

Examiner Name Marina Lamm

Attorney Docket Number DE1501

				T DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 6630163	10-07-2003	Murad	
		^{US-} 5382430	01-17-1995	Soma	
		US- 3808312	04-30-1974	Goulding	
		^{US-} 5665413	09-09-1997	Rossiter	
		^{US-} 2003/0170322	09-11-2003	Kayane	
		US-			<u> </u>
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		FORE	IGN PATENT DOCL	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T
		Country Code ³ Number ⁴ Kind Code ⁵ (# known)	MM-DD-YYYY		Or Relevant Figures Appear	"
		WO 03/103415 A1	12-18-2003	Allen		
		WO 02/069992 A1	09-12-2002	Cyr		
	ļ <u>.</u>	WO 01/70259 A1	09-27-2001	Donaldson		L
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Sheet

of 2

Examiner	Cite	NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		ROSEMARY F. WEBBY, A Flavonol Triglycoside From Actinidia Arguta Var. Giraldii, Phytochemistry, Vol. 30, No. 7, pp. 2443-2444, 1991, Great Britain	
		FRANCESCO FORASTIERE, ET AL., Consumption of fresh fruit rich in vitamin C and wheezing symptoms in children, Thorax 2000, 55:283-288	
		YUKO YOSHIZAWA, ET AL., Antiproliferative Effects of Small Fruit Juices on Several Cancer Cell Lines, Anticancer Research 20: 4285-4290 (2000)	
		BEN H. COLLINS, ET AL., Kiwifruit Protects Against Oxidative DNA Damage in Human Cells and In Vitro, Nutrition And Cancer, 39(1), 148-153, Lawrence Erlbaum Associates, Inc.	
		NOBORU MOTOHASHI, ET AL., Cancer prevention and therapy with Kiwifruit in Chinese folklore medicine: a study of kiwifruit extracts, Journal of Ethnopharmacology 81 (2002) 357-	
		HEXIANG WANG, ET AL., Isolation of an antifungal thaumatin-like protein from kiwi fruits, Phytochemistry 61 (2002) 1-6	
		YOO KYUNG KIM, ET AL., Anti-Inflamation Activity of Actinidia polygama, Arch Pharm Res, Vol 26, No 12, 1061-1066, 2003	
		MATSUMOTO OSAMU, ET AL., Vinyl Chroride-Based Resin Composition, Patent Abstracts of Japan, Publ. No. 02214754 A, 27-08-1990, Japanese Patent Office	
		JUNICHI UDAGAWA, Method of Preparing Kiwifruit Liquid, Laid-open Patent Application Gazette (A), Sho 61-140510, Publication date: 27-06-1986, Japan Patent Office	

Examiner	Date	
Signature	Considered	

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